Waterloo. In habeas corpus proceedings

retained by her adopted mother, and the

New York people have presented to Gov.

Cummins a petition asking that the action

The girl was adopted as a waif from an

The New York woman says maternal love

is the only motive for her action, but the

years ago in Memphis, where his father. Horace E. Garth, was president of a bank. The senior Garth came to New York in the early '80s, and formed important business connections with the late James Jennings McComb of Dobbs Ferry. Granville W. Garth was educated at the Berkeley School and entered Columbia University in the class of '88. He was popular as an undergraduate, took an active part in the basebal interests of the college in the days baseball interests of the college in the days of its best university nine and was especially liked for his cheerful and amiable

His father, after a brief period of retirement from business, was made cashier of the Mechanics' National Bank in 1883, and in 1886, when Granville Garth entered the

in 1886, when Granville Garth entered the institution, his father was already president. He made his son cashier, and on his retirement several years ago Granville Garth was made president. He was said at that time to have been the youngest bank president in the city.

After his marriage to Miss McComb in 1889, Mr. Garth lived with his wife in the Granada. Mr. Garth belonged to the University, Metropolitan and several other clubs, but visited them rarely, being domestic in his tastes. As neither he nor his wife cared for society, they lived very quietly, seeing only intimate friends. Mr. Garth was absorbed in his business from the time he first entered the bank and had rarely taken a vacation. His summers had are time ne bust entered the bank and had rarely taken a vacation. His summers had been spent at Sea Gate until three years ago when he rented a house near Morristown.

A provision of the will of James Jennings A provision of the will of James Jennings McComb cut off his daughter Fanny from her share in the residuary estate if she married Mr. Herzog. Before her marriage Miss McComb asked Justice Scott to pass on the legality of the clause. He told her she'd have to get married before the court would need on that She did so and the would pass on that. She did so and the Court of Appeals decided the clause invalid. Whereupon Mrs. Herzog got her full share of her father's estate of many

GALVESTON, Tex., Dec. 27.—Mr. Thomas awson, representing Blair Bros., bankers f New York and owners of the Cole mines of New York and owners of the Cole mines at Thurber, Tex., a fellow passenger with Mr. Garth, said to-night that he met Mr. Garth on the steamship Denver, and that prior to that time he had no acquaintance with him. Mr. Garth was not under his care and all he knew about him was what he had becomed while they were together on had learned while they were together on

Saalberg, who worked his way out

walt Saalberg, who worked his way out in the steward's department of the Denver, said to-day, after describing Mr. Garth's erratic conduct aboard the Denver:

"On Christmas Eve Mr. Garth became very much excited when he heard the crew drawing the chains separating the steerage from the cabin compartments and excitedly exclaimed 'My God, they are going to put me in irons' Oh, my poor father." suggested to Chief Steward Johnson

"I suggested to Chief Steward Johnson that it would be well to keep a close watch over Mr. Garth, as from his looks I was afraid he might do something desperate. Mr. Johnson agreed with me and said he would stay up half the night and watch Mr. Garth and would then put on another watch for the remainder of the night.

"Next morning I saw Mr. Garth pacing up and down the deck in the same nervous the decad conversion." This con-

way with a dazed expression. This continued all day. He ate nothing, took no stimulants. The last time I saw him was when the bell rang for dinner about 6:30 o'clock.

"He walked slowly to the saloon door, looked in quickly and then disappeared aft in the darkness. Some of the crew

ay they saw him at 8:30 o'clock in the even-ng. I was sitting on the deck at 9 o'clock when the captain's messenger rushed by and asked if I had seen Mr. Garth. answered in the negative. Search was instantly made and kept up for over two hours, but Mr. Garth was not found."

OUR FOREIGN COMMERCE.

Increase in Nearly All the Great Groups of Exports and Imports.

WASHINGTON, Dec. 27 .- Details of eleven months' commerce of the year 1903 are just made public by the Department of Commerce and Labor through its bureau of statistics. They show an increase in practically all of the great groups of exports and imports. Agricultural products, as a whole, show an increase of \$74,000,000; products of the forests, \$10,000,000; products of the mines, \$8,000,000; manufactures, \$5,000,000, and miscellaneous articles, \$2,000, 000. In the single group, fisheries, is shown a decrease of a little more than \$1,000,000.

The total exports of iron and steel manufactures in the eleven months were \$89,685,-201 in value, against \$90,136,124 in the corresponding months of 1902 and \$94,112,782 sponding months of 1902 and \$94,112,782 in the corresponding months of 1901. Not-withstanding the slight decrease in exports of iron and steel, the total of all manufactures exported during the eleven months is \$382,768,127, against \$377,757,576 in the corresponding months of last year.

For the eleven months articles wholly or activities are recognitive to the steel of the steel

partially manufactured for use in manufacturing show an increase of \$15,000,000 over the corresponding months of last year, while articles in a crude condition for use in manufacturing show an increase of \$11,000,000, as compared with the correspond-

ing months of 1902.

These figures would seem to indicate that the total exports will fall a few millions below those of 1900, and be about equal to those of 1901, but materially in excess of those of 1902, while the total imports will exceed those of any preceding year, and, combined with the exports, make the grand total of commerce more than in any pre-ceding year, also that the exports of manu-factures will exceed those of 1902 by several millions, but be somewhat below those of the record year 1900, and, perhaps, 1901.
The following table shows the commen The following table shows the commerce of the eleven months ended with Novem-

compared with the corresponding

	101/2	1000.
Articles of food and animals.	\$199 132 904	\$193,814,825
Articles in a crude condition		293,499,542
Articles wholly or partially		
manufactured		140,845,440
Articles manufactured	149,610,089	159,872,017
Articles of voluntary use.		
luxuries, &c		130,252,185
luxuries, ac	124,010,441	100,200,100
2	****	
Total imports	\$874,959,883	\$917,784,009
EXPOR	TS	
Domestic exports:		
Domestic exports.	c.e nen	\$789,669,330
Agriculture		
Manufactures	377,757,576	382,768,127
Mining	33,224,129	41.507.080
	48,229,226	58,000,562
Forest		
Fisheries	7,860,971	6,262,949
Miscelianeous	4.638,749	6,287,399
***************************************		44.000.000.000.000
Total domestic	197 259 022 6	11 284 555 447
	101,000,000	05 076 004
Foreign exports	25,334,597	25,378,964
	B-1100000000000000000000000000000000000	************
Total exports\$1	.212,693,530	1,309,934.411

THO ASSAULTS	N BRO	OKLYN.

Clifford D. Lees, a druggist, was assaulted and robbed in front of his home, 108 Pierrepont street, Brooklyn, at 40'clock yesterday morning by Michael Marshall, 28 years old, of 252 Pacific street

Man Knocked Down Near His Home

Saloonkeeper's Watch Stolen.

"I want more than that," said Marshall. "That's all you'll get this morning,"

That's an you'll get this morning, replied Lees.

Then Marshall knocked Lees down and took \$5 more from him. He had just struck Lees in the face when Patrolman Dailemul of the Adams street station ran up and arrested him. The money was found in the sleeve of Marshall's coat.

A gang of South Brooklyn toughs entered the salcon of Gustav Lexander at the Chipton street. Brooklyn just as he

513 Clinton street, Brooklyn, just as he was closing on Saturday night, and de-manded free beer. Lexander refused to give them any, and shortly before 2 o'clock, when the proprietor was standing in front of his saloon, he was assaulted and robbed by several of the toughs and his \$150 gold watch was stolen. John Stevens, 20 years old, of 582 Clinton street, was arrested, charged with highway robbery.

Carnegle Armor Plate Factory Improved PITTSBURG, Pa., Dec. 27.- New additions to the armor plate shops of the Carnegie Steel Company at Homestead are expected to be completed and in operation the second week in January. The additions include a new machine shop, new reheating furnaces, press shops and the largest armor plate press in the world. They will represent a cost of about \$2,000,000.

Our half-tones in the advertising pages of the magazines often may be told from other makes by their bright, snappy look. The GILL Engraving Company,

140 Fifth Avenue

NO ULTIMATUM BY COLOMBIA.

GEN. REYES ONLY STATES HIS GRIEVANCES IN HIS NOTE.

The Administration Encouraged Over the Prospect of an Amicable Settlement of the Differences With Colombia -She Wants to Save Something.

WASHINGTON, Dec. 27 .- The officers of the Administration are encouraged over the prospect of a settlement of the differences with Colombia on an amicable basis, on account of the conservative character of the note presented to Secretary Hay by Gen. Reyes, the Colombian envoy. This is described as a statement of Colombia's grievances and does not partake in any way of the nature of an ultimatum to the United States. It is the forerunner, it is expected, of a diplomatic correspondence which, there is reason to believe, will rewhich, there is reason to colombia in some sult in an agreement that will be in some sult in an agreement to Colombia. That measure satisfactory to Colombia. That she will "save something out of the wreck," to quote the expressive phrase of a Gov-ernment officer, is likely. Gen. Reyes fully understands that the President does not intend to permit the status quo ante bellum to be restored on the Isthmus, but he is hopeful that his mission may be at-

tended by some measure of success.

The efforts of Gen. Reyes to prevent any action by his Government that might lead to hostilities with the United States have to hostilities with the United States have apparently been successful, according to advices received here, and he no longer feels the necessity of taking the hint given to him here that he return to Colombia to use his great personal influence to avert an outbreak that could have but one effect. From present prospects he will not return until something definite has developed from his mission. He has no thought of "withdrawing" or asking for his passports. Dr. Herran, the Colombian Chargé d'Affaires, who has been constantly on duty here for more than three years, has asked for leave of absence to begin as soon as he

for leave of absence to begin as soon as he can conveniently get away. He said tonight that if he should return to Colombia
it would be because his leave had been granted, and not for any reason connected with the attitude of the United States.

PANAMA TREATY SAFE.

Senator Fairbanks Says It Will Receive Enough Democratic Votes to Ratify It.

INDIANAPOLIS, Dec. 27 .- "The Panama treaty will be ratified, thereby insuring the construction of the Isthmian canal Sentiment in the South will force a suffici ent number of Democratic Senators to support the instrument, thus carrying out the Administration's programme. This is the opinion of Senator Fairbanks,

who arrived in Indianapolis last night There has been a good deal of discussion as to the probable attitude of the Democratic Senators with respect to the ratification of the Panama treaty, said Senator Fairbanks.

"Of course, if our Democratic friends were to solidly oppose it the treaty would be defeated. The Republicans do not control the requisite two-thirds vote. The sentiment in some of the Southern States in favor of the earliest possible beginning of the Panama Canal is so strong that it is doubtful whether a Democratic caucus could hold in line all the Democratic Senators. I do not believe there is any serious doubt that enough Democratic votes will given to the treaty to enable us

"I think it is probable that all the Repub lican Senators will favor ratification. One or two, perhaps, are not very enthusiastic but I am of the opinion that they will give it their assent. The probabilities are that the treaty may be delayed somewhat by debate, but not prolonged to any considerable extent. I think a vote will be reached within a reasonable time.

600 MARINES TO SAIL TO-DAY. The Dixie With a Large Cargo of Men

and Supplies to Start for Panama. PHILADELPHIA, Dec. 27 .- A big detachment of marines will sail for the Isthmus of Panama on the Dixie in the morning. of Panama on the Dixie in the morning. The expedition shows no signs of being a tropical picnic trip. Its seriousness is recognized by every one. Between decks 600 men are safely housed. The decks are piled high with stores and supplies.

There is every indication that the stay of the marines on the Isthmus will be long. The cruiser is carrying south a brigade quartermaster and a brigade paymaster. The wagons, of which there are a large number, would only be used by a column operating in the interior of a country, while the lumber forming part of the deck cargo i operating in the interior of a country, while the lumber forming part of the deck cargo is for the building of permanent quarters and for the tent floors in post quarters. One change was made in the ship's person-nel at the last moment, Lieut. Sargent being ordered to report to the Bureau of Navi-gation to-day. Lieut. Thomas J. Senn from the Indian Head proving grounds

the Indian Head proving grounds

NEW YEAR'S IN WASHINGTON.

Signs of a Revival of Open House Custom -Cabinet Ladies Will Receive. WASHINGTON, Dec. 27.-Quite an old-time air of hospitality will reign in official homes in Washington New Year's Day, and there are signs of a revival of the open house custom, once almost universally observed in official life and equally enjoyed by resi-

All the ladies of the Cabinet will hold receptions New Year's Day, except Mrs. Hay and Mrs. Shaw, the former being in ill health and the latter in mourning for the brother of Secretary Shaw. Mrs. Hay, assisted by her daughters, will, however, give the usual New Year's breakfast to the diplomats, following the White House re-

Mrs Root will have as her assistants on Mrs. Root will have as her assistants on New Year's Day the wives of the Assistant Secretaries of War and of a number of the higher officers of the Army, and a beyy of young girls. Secretary Moody of the Navy will receive with Secretary Root, holding no reception at his own house.

Mrs. Knox will be assisted by no matrons, having chosen instead the daughters of the judicial officers of the Government and judicial officers of the Government and several young ladies from local society. Mrs. Payne, wife of the Postmaster-General, will be assisted by Mrs. Spooner and several married and single women from resident society. Mrs. Hitchcock will be assisted by the wives of officers of the Interior Department and a number of young ladies.

Miss Wilson, Secretary of Agriculture Wilson's daughter will have several ladies

Miss Wilson, Secretary of Agriculture Wilson's daughter, will have several ladies from the Diplomatic Corps join her, as well as Mrs. Fairbanks, Mrs. Dolliver, Mrs. Walsh and others, both married and unmarried. Mrs. Cortelyou, who maintains the newest Cabinet home and holds a reception for the first time, will be assisted by the willing of officers in her husband's Dethe wives of officers in her husband's De-

Miss Roosevelt and a number of girls from army and naval circles will receive with Mrs. Dewey, the wife of the Admiral of the

DEATH OF MRS. W. M. EVARTS. Mrs. Caperale of New York Appeals to

her mother.

LIKE HER HUSBAND, SHE LIVED PAST THE 83D BIRTHDAY.

Died at the Farm in Windsor, Vt., in Which She and Her Husband Took Great Pride-She Had Lived There Since the district court decided that the girl be the Second Avenue House Was Sold.

Mrs. Helen Minerva Wardner Evarts widow of William M. Evarts, died vesterday on the old Evarts farm, Runnymede, at Windsor, Vt., after having survived her husband by nearly three years. Mrs. Evarts was in her eighty-fourth year. Mr. Evarts celebrated his eighty-third birthday just before he died.

The news that she was very low was received here on Friday and on Saturday morning her son, Sherman Evarts, left his home in Plainfield, N. J., to reach Mrs. Evarts's bedside. He was followed by Maxwell Evarts and Allen W. Evarts, two of the three other sons. The fourth, the Rev. Prescott Evarts, lives in Cambridge,

Mrs. Evarts was the eldest daughter of Allen Wardner, a banker of Windsor, Vt. When she was a young girl her mother died and on her devolved the work of keeping her father's house. When she was ing her father's house. When she was about 20 Mr. Evarts, who had just been graduated from Yale, went to Windsor to study law and to teach. The young lawyer met Miss Wardner and they were married on Aug, 30, 1943, in St. Paul's Church, from which in March, 1901, Mr. Evarts was buried and from which his widow will be buried. In the later years of Mr. Evarts's life, when the family still retained the old Evarts house at Fourteenth street and Second avenue, in a district then long abandoned by New York society, not a little of the dignity of the household was due to Mrs. Evarts.

Senator Evarts took a great interest in

Senator Evarts took a great interest in his farm, where he spent at least a part of the summer and entertained many friends. It was also the scene of many family reunit was also the scene of many family reunions. The pride that Mr. Everts took in his farm, which he always maintained was self-supporting, was enthusiastically shared by Mrs. Everts. She and the children were accustomed to go there early in the spring and stay well into the fall.

Soon after Mr. Evarts's death the Second avenue house was sold and Mrs. Evarts went to Windsor. The farm contains several thousand acres, its meadows

several thousand acres, its meadows extending for a mile along the Connecticut River. There Mr. Evarts built five large houses, his own house, The Mansion, being in the middle of a row on a side hill. These were occupied from time to time by the members of his family.

Four sons and five daughters survive Mrs. Evarts. They are Allen W., Sherman, Prescott, Maxwell and Miss Mary Evarts, Mrs. Hetty Sherman Beaman, who is the widow of Charles C. Beaman, who is the widow of Charles C. Beaman, Mrs. Charles H. Tweed, Mrs. Elizabeth H. Perkins, who is the widow of Edward C. Perkins of Plainfield, N. J., and Mrs. Louisa W. Scudder, the widow of Charles D. Scudder of this city.

to probate soon after his death, gave parts of his Windsor and Cornish, N. H., estates to his daughters and his son, Maxwell. The rest of the Windsor estate was bequeathed to Mrs. Evarts. Mrs. Evarts's estate, which her husband had held during his life, was returned to her increased in value to \$25,000. Besides that, a fund was created from the rest of his estate with the provision that the income be given to Mrs. Evarts while she lived and that on her death the residue be divided among the children.

DEATH OF HENRY JANES. Similarity of Names Causes False Report

That J. D. James Had Died. PLAINFIELD, N. J., Dec. 27.-Henry Dwight Janes, for thirty-seven years in he employ of the Home Insurance Company of New York, died suddenly of heart trouble while walking through the Jersey City terminal of the New Jersey Central Railroad last night. He was on his way

to his home in this city.

A report reached here during the evening that it was J. D. James of Stone street, New York, residing in North Plainfield, who had died. Mr. Janes was born in Boston, Ohio, was 65 years of age and had lived in Plainfield thirty years. For a number of years he was a trustee of the Crescent Avenue Presbyterian Church.

Obliuary Notes

F. N. R. Martinez, musical and art critic of the World, died in St. Vincent's Hospital yesterday after a month's illness resulting from a stroke of paralysis. He was born in San Francisco in 1849 and in early childhood was brought to New York. Afterward his family went abroad and he received most of his education there. His career began in San Francisco, In 1883 he married Miss. Hockhoffer, daughter of the Austrian Consul at San Francisco, and he and his father-in-law entered into partnership as coffee importers. Mr. Martinez acquired a fortune, and after several years retired from the firm to engage in banking. He became cashier of one of the leading banks of San Francisco, but even while in business continued his study of languages and music. For many years he was the dramatic and musical critic of the San Francisco Neus-Letter. He came to New York about twelve years ago. Mr. Martinez leaves a widow.

Selah R. Van Duzer, a wealthy citizen of Newburgh, died there vesterday.

lork about we've years ago. Sit. Shartinez leaves a widow.

Selah R. Van Duzer, a wealthy citizen of Newburch, died there yesterday. He was a wholesale druggist in this city, with extensive branches in Europe, and amassed a great fortune out of the business. He owned one of the handsomest places in Newburgh, had a fine summer home in the Thousand Islands on the St. Lawrence and a winter home at Aiken, S. C., and was the owner of a steam pleasure yacht. He was 80 years of age and leaves a widow and three children. His only daughter is the wife of Frank V. Burton, a dry goods merchant on Broadway, this city. One son is Henry Van Duzer, a lawyer here, and the other is Frederick C. Van puzer, who has charge of the Paris and London branches of the business. Mr. Van Duzer was a liberal giver to charities.

Dennis Dowling, the father of State Senator.

business. Mr. Van Duzer was a noeral giver to charities.

Dennis Dowling, the father of State Senator Victor J. Dowling, died at his home, 594 Eagle avenue, in The Bronx, on Christmas day, in his sixty-eighth year. Mr. Dowling was born in county Limerick, Ireland, and came to this country when he was 17 years old. He started in the shoe business in New Orleans and remained there until the end of the civil war, when he established a snoe store on Broadway, near Waverley place. He is said to have been the inventor of the first real baseball shoe. Mr. Dowling was at his Broadway store for about thirty years. He was a member of the Tammany Hall committee of the Twenty-fourth Assembly district and of the Wyandotte Club. In 1896 he became an attendant in the Court of General Sessions. He is survived by a wife, five daughters and two sons.

Word of the death of Edwin Edward Osgood,

eral Sessions. He is survived by a wife, five daughters and two sons.

Word of the death of Edwin Edward Osgood, Deputy and Vice Consul General at Calcuita, India, was received on Saturday evening by his mother, Mrs. S. W. Osgood, of New Haven. He died suddenly on Christmas Day, but what occasioned his death is not known. He was graduated from Yale in '95 and was private secretary to Norman B. Ream of Chicago for several years. While on a trip around the world with him Mr. Osgood visited Calcuita and decided to make his home there. He represented the New York Export and Import Company in India. He was 32 years old and leaves two brothers, H. A. Osgood, who is at Shanghai, China, and D. A. Osgood of Pasadena, Cal., besides a sister.

Daniel M. Van Cott, cousin to Postmaster Van Cott, died of pneumonia on Saturday at his home, 41 West 125th street, in the fifty-fifth year of his age. Mr. Van Cott represented the Thirty-first district in the assembly in 1884. He practised law at 25 Chambers street for a number of years. His wife and five children survive him.

The Rev. Dr. Jeremiah Brittain, a Union respectation of the survive him.

five children survive him.

The Rev. Dr. Jerenniah Brittain, a Union Presbyterian clergyman, who had not had a charge for several years, but had been superintendent of the Anti-Saloon League of New Jersey and Deisware, died in Roseville, N. J., on Saturday of pneumonia. He was 64 years old and was born in Beaver county, Pa. Two sons and six daughters survive him.

Frank MacArthur of \$2 Euclid avenue, Brooklyn, who had been a pressman for The Sun for thirty-two years, died yesterday in St. Mary's Hospital in Brooklyn after an operation which he underwent on Saturday. He had been ill for only a few days. Mr. MacArthur was 54 years old. He leaves a widow, four sons and a daughter. News was received in Wilmington, Del., last night of the death at Montpeller, Va., of Gen. John Newman Andrews, ared 65 years, He was retired and was a veteran of the civil war. Until recently he lived in Wilmington. He was a brother-in-law of Gen. James H. Wilson.

FOSTER PARENTS KEEP THE GIRL. | TERRORIZED BY HOLD-UP MEN

Governor of Iowa to Regain Her Child. ARMED MEN PUT IN A BUSY DES MOINES, Ia., Dec. 27.-L. R. Mantell NIGHT NEAR PHILADELPHIA. and Mrs. Rosa Caporale of New York are making a desperate effort to gain possession of pretty little Josephine Caporale

They Begin With Two Hold-Ups at Bryn Delfs from the child's foster parents in Mawr and Then Go by Train to Wayne -Then They Blow Open a Station Safe at Strafford and Secure \$1.000. PHILADELPHIA, Dec. 27.-Two armed nen, who had been committing hold-ups near Bryn Mawr, jumped on a train at midof the court be set aside and the girl re-

night last night, rode to Wayne, held up turned to Mrs. Caporale, who says she is nother man and then walked to Strafford, where after binding and terrorizing the Eastern institution by a Benton county farmer, and is now a handsome girl of sixteen. watchman they broke open the station and post office safe and secured about \$1,000 worth of booty. They made their escape. The whole main line of the Pennsylvania Railroad near here is aroused by the man-Court held that her leaving the child in an ner in which the men operated and the

carrying on similar operations in Penn-

sylvania and New Jersey. The men ap-

peared at Haverford at 11 o'clock, where

revolver gave up all they had.

depending upon his identification.

and returned to the station.

warned not to stir.

Grimes.

shelter in an outbuilding, where Bolger

discovered them. He ordered them away

Suddenly the door fell in and the despera-

does, carrying a beer keg, which they had

used as a battering ram, entered. They

keg used it to break into the office.

The combination was torn off the safe and

nitro-glycerine poured in the crack thus

made. Just before it exploded Bolger was

The explosion tore half of the bottom

out of the front of the safe, and the lower

part of the safe door was split in half and

the two pieces hurled through the window

Tower and Stops All Traffic.

CUMBERLAND, Md., Dec. 27 .- A. T. Grimes

s in jail at Kingwood, W. Va., to answer a

charge of holding up the Baltimore and

send a special officer on an engine to arrest

Special Constable J. O. Hernandon suc-

Appstachtan Mountain Club.

FITZWILLIAM, N. H., Dec. 27.-The ques-

ion of the interpretation of a tax exemption

palachian Mountain Club, over the widel

Known Rhododendron Grove in this town. Miss Mary L. Ware of Boston, a member

and in April donated it to the club as a res-

the annual appraisal on April 1 assessed

ttention to the fact that in his opinior he property is exempt from taxation under

tesires that the club take action in accord

15 CAUGHT IN A RAID.

Said to Belong to Prominent Families in

New Rochelle and Larchmont.

NEW ROCHELLE, Dec. 27.- A half dozen

young men belonging to prominent families

in New Rochelle and Larchmont were

alleged gambling house on Main street.

caught here this morning in a raid on an

sent Sergt. Cody and five policemen to the place. They kicked down the doors of the place and captured fifteen men,

TWO CONTRACTORS ARRESTED.

Accident, but Discharged.

Harris Levine of 338 Fast Twenty-first

day charged with homicide. They are sub-contractors and were tearing down the old Thirteenth Regiment Armory on Atlantic avenue and Hanson place, Brooklyn, on Wednesday last when several heavy girders fell, killing Abraham Berustein of Allen street and James V. Connors of Tenth venue and Twenty-first street. Marketten

Allen street and James V. Connors of Tenth avenue and Twenty-first street, Manhattan.
Libinoon and Levine were taken before Magistrate Tighe in the Adams street police court, who, after hearing the detectives' statements, discharged the sub-contractors on the ground that there was not sufficient evidence presented to him to hold them on the sprious charge.

To Care a Cold in One Day.

on the serious charge.

street, Manhattan, were arrested yester-

David Libinoon of 97 Pitt street and

Charged With Homicide on Account

nce with his interpretation of the law.

Bolger not to move, and left the place.

orphan asylum for seven years was a demcase is being investigated by the United onstration of her feeling. States Post Office inspector, the Phila-The mother is said to be part owner of a delphia detective department, the Pennweatshop in Bleecker street, and the sylvania Railroad officers and the local foster parents say the mother desires to township authorities. set her daughter to work there. Another Descriptions of the men secured from daughter is living with a family at Cedar three sources tally, and it is believed that Falls, but no effort has been made to secure they belong to the gang who have been

possession of her. FIFTY YEARS A TEACHER. Principal Scarlett of Newark at Las

Applies for Retirement. Principal Augustus F. Scarlett of the Sussex avenue public school at Newark has sent in his application for retirement and it will be acted upon by the Board of Education on Wednesday. The new law permits teachers to retire on half pay after forty years of service, and Mr. Scarlett has been a public school teacher for fifty years in various schools in Newark and is one of the best known educators in New

He said yesterday that he knew of only one man who had taught longer than he. and this man was Mr. Lindsley of Jersey

For ten recent years Mr. Scarlett wa principal of the South Eighth street school in Roseville at a salary of \$2,000 a year About a year ago he was sent to the smaller school in Sussex avenue at \$1,800 salary An effort will probably be made to date his retirement from a year ago so that he will get \$1,000 a year during the remainder of

HUMAN SKULLS FOR CHARMS Murders Traced to a Party of Porto Ricans cowed Bolger and again picking up the in California.

SAN BERNARDINO, Dec. 27.-Two murders have been traced to a party of Porto Ricans, the chief of which seems to have killed an Indian and a Chinese to secure their heads as charms against ill luck. Miguel Antonio, the leader was arrested a few days ago on the confession of his woman accomplice, Trinidad Figueras. She told how he had waylaid a Chinese pedler and cut the man's of the station. As soon as the contents throat with a razor, afterward burying had been rifled the men again instructed the body. Antonio was arrested here and the woman was held.

Now two other Porto Rican women are in jail at Needles. They gave the police a clew which resulted in the finding of a in money and about \$300 worth of stamps. human head in Trinidad's trunk and they say it was cut from the body of an Indian woman Antonio murdered in Nevada. Antonio declares that the women were the real head hunters, as they used the skulls in witch incantations. He ascribes their confession to the fact that he failed to secure the skull of the Chinese for them.

Ohio Railroad at Anderson. He had the CAPT. R. L. MERRIMAN DEAD. road completely at his mercy and traffic was blocked for several hours until orders of the Best Known of the Old-Time were sent from Cumberland to Tunnelton to Ship Masters.

News was received in this city yesterday of the death in Alameda, Cal., of Capt. Robert L. Merriman, one of the oldest and best known sea captains who ever sailed from this port. He was 74 years old and for fifty-two years was a ship master. (Anderson, and with two guns held up Capt. Merriman was born in Brunswick, Operator J. T. Cruise. Breaking in, he Capt. Merriman was born in Brunswick, Me., and when a boy became mate on a vessel which sailed from Portland. He rose rapidly to the position of captain and came to New York, where he was put in came to New York, where he was put in command of a ship in the East Indian trade.

Among the vessels he commanded were the bark Undine, and the ships Lyndia, Iorenzo, Marcia Greenleat, Gen. Shepley, Aurora, Carrie Dove and Commodore T. H. Aurora, Carrie Dove and Commodore T. H. Shepley, Aurora, Carrie Dove and Commodore T. H. Shepper T. Sheppe Allen. He lost two o his ships, the Aurora, which was wrecked about eighteen years ago in Calcutta, and the Commodore T. H. Allen, which caught fire about two years ago near Sandy Hook while loaded with a Exemption Claimed for a Gift to the

argo of oil. Capt. Merriman was master of the Con capt. Merriman was master of the Commodore Allen for seventeen years and was a part owner in her with Charles H. Southard of Brunswick. He was heartbroken over the loss and gave up the sea for good. He leaves two sons and a daughter. One of the sons, Robert Merriman, was his father's first mate on the Commodore Allen. After his retirement, Capt. Allen was an almost daily visitor to the ship chandlery stores along South street, where he swapped stories with his seafaring friends. Capt. Merriman's friends there never doubted his ability to beat anything they could tell.

On one occasion he happened to speak
about a hollow mast, and a landlubber who worked on a newspaper said: "A hollow mast? Well, what do you put inside the

the annual appraisal on April lassessed a tax of \$31 upon the property. The tax bill was made out in the name of Miss Ware. This tax has not been paid and the Fitz-william tax collector has advertised the property for sale for taxes on Feb. 8 and has so advised Miss Ware. This action has called forth a protest from Mr. Shepard, who in letters to citizens of the town calls "Why, we keep our drinking water there. replied the captain. The next day a news paper printed a story about the new method who in letters to citizens of the town calls of keeping drinking water.

Capt. Merriman moved to Boston last summer with his son, and about two months ago went to California to visit his other the act of the Legislature. Mr. Shepard son. The body will arrive in Boston to-day and will be taken to Brunswick for

GEORGE J. LANGSDALE DEAD. Father-in-Law of Senator Beveridge

Indiana Passes Away INDIANAPOLIS, Dec. 27.-George J. Langs dale, father-in-law of United States Senator Beveridge and for many years one of the best known Republican editors in the State, died to-day after an illness of several

Charles Deveaugh, who alleged that he had been swindled in one of the games, made a complaint to Chief Timmons, who He was born in this city in 1837, and en he was born in this city in 1837, and en-listed as a volunteer in 1861 and served through the war, notwithstanding the fact that he was in poor health all the time. After his discharge from the army he settled at Green Castle where he published the Green Castle Banner and exerted wide influence in the politics of the State. He but arrested only three, Patrick Tierney, the alleged proprietor, and William Finlay and Joseph Hance, alleged assistants. They were held in \$1,000 bail each for subsequently became secretary of the Sol-diers and Sailors Monument Commission. After Mr. Beveridge's election to the ramination.

The prisoners say they were not gambling, but playing pool and billiards. The police say they found dice, poker chips and small change lying on the tables. Senate Mr. Langsdale was appointed to a place in the postal service in Porto Rico, but he was obliged to return home on account of failing health.

MAN WHO RULED TONGA DEAD. George's Premier.

Honolulu, Dec. 20, via San Francisco Dec. 27 .-- From Tonga comes the news of the death of the Rev. Dr. Shirley Waldimer Baker, one of the most prominent mission-aries in the Southern Seas during the last half century, and for many years Premier and practical ruler of Tonga. He was an Englishman, who first went to Tonga in

Englishman, who first went to Tonga in 1880.

After twenty years of work he became Premier to King George of Tonga. He made education free and compulsory, and built many fine public buildings. During his later years he became involved in a controversy with the Wesleyan conference of Australia. An attempt was made to assassinate him. In 1880, to prevent trouble. England deported Mr. Baker to Fiji Islands for two years. He returned and sought to ally the Free Church of Tonga with the Anglican Church.

B. Altman & Co.

WILL HOLD AN IMPORTANT SALE OF TWENTY-FIVE THOUSAND YARDS OF

Plain and Figured WHITE SILKS, commencing

This day (MONDAY), December 28th.

Eighteenth St., Dineteenth St., Sixth Moenne, New York.

FOUGHT A FIRE SEVEN HOURS.

EARLY MORNING BLAZE IN A BACHELOR APARTMENT.

House Where Alonzo Potter and Others

they held up John Thomas, a coachman, Lived Wrecked-Two Negro Hallboys Hurt-Criticism of Department's and John Kennedy, who at the point of a Work Not Fair, Says Chief Duane It was midnight when the pair reached The fire in the bachelor apartment house Bryn Mawr. At this moment Richmond M. at 39 West Thirty-sixth street early yester-Cameron, with a party of four young women

day morning kept the firemen at work for whom he was escorting home from a dance, seven hours and every dweller on the block met them. The women fled and the desawake all of the night. The Thirty-sixth peradoes after them, crying to them to street house is a five story narrow brownstone front building which Mrs. Daniel E. A force of mounted police from Ardmore Tuttle leases. was heard in the distance and the two Her tenants are all well-to-do men and fled across country, boarding the 12 35 among them are Alonzo Potter, a nephew of Bishop Potter; Dr. J. H. Claiborne, an o'clock train at Villanova. The conductor

noticed their rough appearance and watched them closely. The police are oculist: Andrew A. Bibby, a real estate broker, and Carstan Boe. There are six other men tenants in the building They got off at Wayne and started toward Mrs. Tuttle manages three other houses Strafford, a mile away. This station is on the block and she makes her home at 29. closed at 8 o'clock in the evening, but the The bachelor apartments are left at night lights are not put out until 2 o'clock in the in charge of two negro hallboys and the morning, and James Bolger, a man of 50, negro laundress. The hallboys sleep on is employed to watch it. The two sought

the top floor and the laundress in the basement Most of Mrs. Tuttle's tenants were ou of town for the holidays, and apparently the only one who stayed in town was Mr. Boe. He spent most of Saturday evening at the Waldorf and it was after midnight when he started for his apartment. He was climbing the stairs to his apartment on the second floor when the colored laundress ran up from the basement yelling "Fire! Mr. Boe started to run up stairs to arouse the other tenants, but when he reached the second landing the entire upper part of the building was in flames. He darted downstairs again and reached the front door just as the first stairs feil in behind

Deputy Chief Duane was one of the first arrivals, his headquarters being only three blocks away. With the first stairway gone and the upper part of the building blazing, the fire had to be fought from the street and the housetops on either side As soon as they had gone Bolger ran to the signal tower and gave an alarm. The bandits took with them nearly \$700

of it.

A few minutes before the firemen came the two negroes asleep on the top floor awoke. They got to the roof by a fire-escape, and going through the adjoining house reached a back yard. They were so frightened that in climbing the fence of a Thirty-seventh street house they fell. Both were so badly bruised that they were sent to the New York Hospital.

The firemen were at work an hour before HELD UP THE B. & O. RAILROAD. Drunken Man Takes Possession of a Signal The firemen were at work an hour before

the water they poured into the building had any apparent effect. At 3 o'clock the flames broke out afresh from the top floor.

ceeded in getting him. Grimes, while drunk, attacked the telegraph office at hidden flames.

The firemen estimated the loss on the building at \$10,000, but the loss of the occupants will probably amount to three times renewed, the marshal hurried the prisoner took possession, throwing the signals, that amount. A nephew of Dr. Claiborne said yesterday that the oculist's loss would be \$15,000, as all his instruments were deslight knowledge of telegraphy and tried stroved Dr. Claiborne occupied the first

> Chief Duane said yesterday that there was no cause for criticism in the way the fire was managed. He said it was burning for fully an hour when the alarm was rung in and that when he arrived the building was a furnace.

> For a time it was thought that some of the tenants might have been caught in the building, and a search was made for bodies. The two negro hallboys say that Mr. Bo was the only tenant in town.

law enacted by the last New Hampshire CAPT. LEVI WOUNDED IN A DUEL Legislature has been raised by Harvey H. Shepard of Boston, trustee for the Ap-Fights With Count de Mairoy After a Di pute Over the Dreyfus Case. Special Cable Despatch to THE SUN. of the club, bought the entire tract of land

Paris, Dec. 27 .- The duel between Capt. Levi of the Fifth Engineers and Count de Malroy, growing out of a quarrel over the Drevfus case, was fought this morning. Capt. Levi was severely wounded in the right arm. There was no reconciliation between the combatants.

Capt. Levi is a well trained swordsman while Count de Malroy has no especial skill with the weapon. The result therefore caused much surprise. After the combatants had taken their positions and the word was given for the fight to commence Capt. Levi lunged furiously at his opponent and a close struggle followed. Count de Malroy succeeded in driving Capt. Levi back a few inches, and made

a lunge at him, which Capt. Levi attempted to parry, but he was too late to avoid a deep and serious puncture in the biceps. FORGERY IN THE DREYFUS CASE.

Date of German Attache's Telegram Was Changed.

Special Cable Despatch to THE SUN

PARIS, Dec. 27.-The ante-dated telegram, which is one of the two new facts causing a revision of the decision in the case of ex-Capt. Dreyfus, was written by Col. Schwartzkoppen to Col. Panizzardi in April, 1894. In this despatch the German Military Attaché told his Italian colleague that he was expecting important information about the transportation of troops. It is now reported that the date of the message was erased and March, 1894, substituted, at which time Dreyfus was engaged in transportation work at the War

BRYAN VISITS COPENHAGEN. The Crown Prince Frederik Gives Hir an Audience.

Special Cable Despatch to THE SUN COPENHAGEN, Dec. 27 .- William Jennings Bryan paid a flying visit to this city to-day as the guest of Laurits S. Swenson, the United States Minister. Crown Prince Frederik gave him an audience, after which he visited M. Deuntzer, the Prime Minister

Mr. Bryan said that he did not wish t again be a candidate for the Presidency of the United States

YOUR PUTURE REVEALED. — Astrology. Written horoscope with prospects in all affairs of life. \$1.00. Send birth date and lock of hair. Trial reading for sceptics, loc. Professor THURSTON, 69 Congress av., Providence, Rhode Island. Take Laxative Bromo Quinine Tablets. All drug-glass refund the money if it falls to cure. E. W. Grove's signature is on each box. 25c.—A6s.

DIABETIC STICKS from pure Gluten, very delicate and in great demand. Postal brings circular. HEALTH FOOD CO., 61 5th Ave. fied, the and Qu off San

small

accum

of outl

age be of Sati

roughn

froze

ship, r

in the

come,

ing, b

corre

press; chant

Indian

Armas Royal Dr. W W. W. Mr.

forme He is

it was in dig betwee "My

that '

shipp that

newsp

I have

sent to Mr. Nippo steam five v put to when All the a bill a cert at the he ha reach Hussi Japan as tre the I scurr route cisco at Young Chine will Who cabin mas that wailin Claus could score pacifutiliz

MOB LYNCHES AND BURNS,

FATE OF A NEGRO IMPLICATED IN A SHOOTING AFFRAY.

After Knocking the Negro in the Head the Mob Poured Kerosene on His Body and Set Fire to It-The Calaboose

and Eight Other Buildings Burned CHATTANOOGA, Tenn., Dec. 27.-Solicitor Quarles of Selma, Ala., has been prevailed upon to call a special term of court to inestigate the members of a mob who entered the jail at Pineapple, Ala., yesterday, killed Arthur Stewart, a negro, saturated the body with kerosene oil, set fire to it and destroyed the jail and eight other build-

From information gained to-night from passengers direct from the scene it is learned that on Wednesday a young white man of the name of Big Melton, son of J. F. Melton, had a quarrel with some negroes with whom he was shooting craps, and one of the negroes shot him and escaped.

On Christmas Day Stewart, said to have been h. accomplice, was arrested and placed in the calaboose

Rumor was current that vengeance would be wreaked upon the negro by Melton's friends, but the conservative citizens thought they had cooled the hot heads . down. But at 4 o'clock this evorning a mob broke open the calaboose and, after knocking the negro in the head, poured kerosene oil over him and the floor and set fire to it.

The flames destroyed buildings and property valued at \$50,000. Jackson & Adams's seed store, W. D. Feagin's store and stock and Patterson Brothers' store were consumed.

Indignation was so high that 200 citizens gathered to appoint a committee to prevail upon Solicitor Quarles to hold a special term of court. A reward of \$1,000 has been offered for the arrest and conviction of any member of the mob.

MOB LYNCHES A NEGRO. He Had Shot and Killed a Deputy Marshal in Saucier, Miss.

NEW ORLEANS, Dec. 27 .- Jim Carr, a negro, who killed Deputy Marshal Cobb in Saucier, Hancock county, Miss., yesterday was lynched by a mob at Millview last night. Carr was disturbing the peace when flames broke out afresh from the top floor.

From that on until 5 o'clock the firemen worked. Folks in the street seemed to think that the fire was badly handled.

When the firemen stopped work at 7 o'clock yesterday morning the interior of the building was a wreck. Then all the plaster and woodwork that hadn't been burned out was chopped out in a search for hidden flames. attempt was made to lynch him, but it

away in the night, intending to take him to the county jail at McHenry, which is safe against attacks, but was waylaid in the pine woods, and the prisoner taken from him and hanged.

DIED

BININGER.-Entered into rest on Saturday, Dec 26, 1903. Byron Bininger, son of the late Joseph H. and Esther Bininger, aged 77 years, at Ar-

lington, N. J. Funeral from his late residence, 616 Belgrove Drive, on Wednesday, 80th inst., at 2.30 P. M. Carriages will be in waiting at Arlington station on the arrival of the 1:30 train from Cham. hers st., New York, Interment Arlington

DICKSON .- John Tyler. Funeral to-day, Monday, from 710 8th av., at 11 o'clock. Remains will be interred at Mount Hope Cemetery.

EVARTS .- At her residence in Windsor, Vt., on Sunday, Dec. 27, Helen Minevra Wardner Evarts, widow of William M. Evarts, in the 84th year of her age. Funeral services at St. Paul's Church, Windson on Tuesday, Dec. 29, at 11 A. M.

JAMES.—On Saturday, Dec. 26, at the residence of her mother, Nerissa Dorothy, widow of Charles F. James, and youngest daughter of the late Joseph H. and Martha J. Simpson. The funeral will take place from the Church of the Atonement, Tenafly, N. J., on Monday afternoon at 2:30 o'clock. Interment in Brook side Cemetery, Englewood. Train leaves Eric depot at 23d st., 1:10 P. M.; Chambers st., 1:20 MACARTHUR.—On Sunday, Dec. 27, 1903, Frank MacArthur, the beloved husband of Sarah

MacArthur, aged 54 years and 6 months. Relatives and friends are invited to attend the funeral at his late residence, 82 Euclid av., brooklyn, on Tuesday afternoon, Dec. 29, at 2 o'clock. Interment at the convenience of the MANIERRE .- On Sunday, Dec. 27, at her residence

Scarborough on Hudson, Caroline, wife of Benjamin F. Manierre, aged 74 years. otice of funeral hereafter.

MARTINEZ.—At St. Vincent's Hospital Sunday afternoon, F. N. R. Martinez, in his 55th year. Funeral at 10 A. M. to-morrow (Tuesday), at the Church of St. Vincent de Paul, 127 West 23d st., from St. Vincent's Hospital, West 12th at MOTT .- Entered into rest at Redding Ridge, Conn Dec. 26, Augusta, daughter of John O. and the late Caroline E. Mott.

Funeral services at the Chapel of Fifth Avenue Presbyterian Church, Monday, Dec. 28, at 4 NEALIS .- On Dec. 27, 1903, after a short lilness Thomas J., beloved son of James J. and Eliza

beth T. Nealls.
Funeral from his late residence, 217 East 50th on Wednesday, at 9:30 o'clock, thence to S John's Church, 55th st. and 1st av., where solemn requiem mass will be celebrated. Rela tives and friends respectfully invited.

RICHARDS.-In Brooklyn, Dec. 26, Herbert Ta beloved husband of Rosa Moir Richards and son of Fanny A. and the late Joseph H

Funeral from the home of his brother. Joseph Richards, 28 Claremont av., Montclair, N. J., on Monday, Dec. 28, at 2 P. M. SCHROEDER.—On Friday evening, Dec. 25, at No.
12 West 9th st., Almee Raymond, wife of Dr.
Henry Harmon Schroeder, and youngest

daughter of the late Henry J. Raymond Services at the house, Monday afternoon at 5. VAN DUZER.—At Newburgh, on Dec. 27, Selain Reeve Van Duzer, in the sist year of his age. Funeral services at his late residence on Wednes. day the 30th instant, at 3 P. M. Carriages will meet arrival of 12:30 West Shore train from 42d st., New York. Interment private. at Greenwood Cemetery, Brooklyn. It is re

quested that no flowers be sent. CEMETERIES.

The Great Pinelawn Cemetery, Magnificent